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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

HEIN HETTINGA AND ELLEN
HETTINGA d/b/a SARAH FARMS; and
GH DAIRY d/b/a GH PROCESSING,

Plaintiffs,

v.

EDWARD T. SCHAFER, SECRETARY
UNITED STATES DEPARTMENT OF
DEPARTMENT OF AGRICULTURE;
JAMES R. DAUGHERTY,
ADMINISTRATOR OF THE ARIZONA
MILK MARKETING ORDER; AND
UNITED STATES OF AMERICA,

Defendants.

No. CV-08-2124-PHX-FJM

**JOINT STIPULATION TO DISMISS
WITHOUT PREJUDICE PURSUANT
TO FEDERAL RULE OF CIVIL
PROCEDURE 41(a)(1)(A)(ii)**

Plaintiffs and defendants, by and through their undersigned counsel, hereby stipulate to dismissal of this action without prejudice pursuant to Rule 41(a)(1)(A)(ii), Federal Rules of Civil Procedure.

Respectfully submitted this 2nd day of July, 2009.

AIKEN SCHENK HAWKINS & RICCIARDI P.C.

By /s/Alfred W. Ricciardi

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ATTORNEYS FOR PLAINTIFFS

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5 /S/PETER J. PHIPPS
6 PETER J. PHIPPS
7 TRIAL ATTORNEY
8 UNITED STATES DEPARTMENT OF JUSTICE
9 CIVIL DIVISION, FEDERAL PROGRAMS BRANCH
10 P.O. Box 883
11 WASHINGTON, D.C. 20044

12 ATTORNEYS FOR DEFENDANTS

13 CERTIFICATE OF SERVICE

14 I hereby certify that on July 2, 2009, I electronically transmitted this Joint Stipulation
15 to Dismiss Without Prejudice Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii)
16 with the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of
17 Electronic Filing to the following CM/ECF registrants:

18 Peter J. Phipps
19 United States Department of Justice
20 Civil Division, Federal Programs Branch
21 P.O. Box 883
22 20 Massachusetts Avenue, N.W.
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24 Attorneys for Defendants

25 /s/Arlene MacQuarrie
26
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